

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 18, 2006

Signature:

David A. Gass

Docket No.: 28079/41785
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fischhoff et al.

Application No.: 08/434,105

Group Art Unit: 1638

Filed: May 3, 1995

Examiner: Anne R. Kubelik

For: Synthetic Plant Genes and Method for
Preparation

STATEMENT UNDER 37 C.F.R. §1.821

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. §§1.821 and 1.825, are the same and include no new matter.

October 18, 2006

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300

By:

David A. Gass

Reg. No: 38,153

Attorney for Applicants